

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America

v.

1- Roberto FERRER, YOB: 1980 (USA)

2- Noe REYES, YOB: 1987 (USA)

3- Anibal BRIONES, YOB: 1985 (USA)

Case No.

7:18mj 2559

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 13, 2018 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

21 USC 846

21 USC 841 (a)(1)(B)(vi)

Offense Description

Conspiracy to Possess with the Intent to Distribute 400 grams or more of a
 mixture or substance containing a detectable amount of
 N-phenyl-N-[1-(2-phenylethyl)4-piperidinyl] propanamide (commonly referred
 to Fentanyl), a Schedule II controlled substance

This criminal complaint is based on these facts:

(See Attachment I).

☐ Continued on the attached sheet.

Submitted by reliable electronic means, sworn to and
 attested to telephonically per Fed. R. Cr. P. 4.1, and probable
 cause found on:

~~Sworn to before me and signed in my presence.~~

Date:

12/14/18 @ 10:24 pm

City and state:

McAllen, Texas/s/ Christopher Donahue*Complainant's signature*Christopher Donahue, DEA Special Agent*Printed name and title*

*Judge's signature*Juan F. Alanis, U.S. Magistrate Judge*Printed name and title*

Attachment I

1. In May 2018, agents from the Drug Enforcement Administration (DEA) McAllen District Office (MDO), Texas, received information regarding the drug trafficking activities of Roberto FERRER.
2. On December 13, 2018, FERRER introduced "Noe" (identified as NOE REYES) to an undercover agent (UC) at a McAllen restaurant for the purposes of arranging the purchase of fentanyl from REYES. During the meeting, the REYES agreed to sell the UC 1.25 kilograms of Fentanyl. Approximately one hour later, FERRER, REYES, and the UC met at a store in McAllen, Texas to conduct the deal. FERRER and REYES subsequently showed the UC a package containing a white powdery substance suspected to be Fentanyl. Afterwards, FERRER and REYES were arrested. The package containing the suspected Fentanyl was seized and subsequently weighed approximately 1.354 kilograms.
3. In a post-arrest mirandized interview of REYES, REYES stated that the fentanyl was dropped off at REYES's house in Edinburg, TX by "Lucky" on the evening of December 9, 2018. Agents showed REYES a random series of photographs, in which REYES positively identified a driver's license photograph of Anibal BRIONES as "Lucky". REYES stated that BRIONES dropped off approximately 1.25 kilograms of suspected fentanyl, which was concealed in a cat litter bag, at REYES house the night before.
4. Agents reviewed security camera footage of REYES's home on December 9, 2018, which revealed BRIONES arriving at REYES' home in a white Mercedes sedan and leaving the residence a short time later. Agents have previously observed the same white Mercedes at the BRIONES residence in Mission, Texas. A review of REYES's cellphone also revealed a text message from BRIONES stating, "I just traded fatty for dually got only 250g left." Based on REYES' statements and text conversation between REYES and BRIONES,

agents believe that BRIONES is referring to fentanyl as “fetty” and that BRIONES traded fentanyl in exchange for a dually truck.

5. On the evening of December 13, 2018, REYES received a text message from BRIONES stating that BRIONES could provide REYES with “ten of fatty” in approximately two (2) weeks. At approximately 7:45 p.m., agents observed BRIONES arrive at parking lot and subsequently took BRIONES into custody.
6. Agents conducted a post-arrest interview of BRIONES. BRIONES stated that he had no knowledge or participation in a fentanyl transaction and has only received marijuana from REYES.